

Anticipated Classification of this Application:
Class _____ Subclass _____
Prior Application: Examiner Deepak R. Rao
Group Art Unit 1624

Attorney's Docket No.
62524-AA/JPW/MJW

Mail Stop Patent Application
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

April 14, 2004

00746 U.S. PTO
10/825643
041504

S I R:

This is a request for filing a X CONTINUATION DIVISIONAL application under X 37 C.F.R. §1.53(b), of pending prior application Serial No. 09/899,635 filed on July 5, 2001 of

Mohammad R. Marzabadi, John Wetzel, John E. DeLeon, Bharat Lagu, Charles Gluchowski, Stewart Noble, and Dhanapalan Nagarathnam, for Inventor(s)

Selective Melanin Concentrating Hormone-1 (MCH1) Receptor Antagonists And Uses Thereof

Title of Invention

1. X Enclosed is a copy of the prior application.
2. A verified statement to establish small entity status under 37 C.F.R. § 1.27 is enclosed. was filed in the prior application and such status is still proper and desired.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	18-20		0	X	\$ 9	\$ 18	\$ 0	\$ 0
Independent Claims	1-3		0	X	\$ 43	\$ 86	\$ 0	\$ 0
Multiple Dependent Claims Presented <u> </u> Yes <u> X </u> No					\$145	\$290	\$ 0	\$ 0
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2					BASIC FEE		\$	\$ 770
					TOTAL FEE		\$	770.00

4. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 03-3125.
- ☒ Any additional filing fees required under 37 C.F.R. \$1.16.
- ☒ Any patent application processing fees under 37 C.F.R. \$1.17.
5. ☒ Three copies of this sheet are enclosed.
6. ☒ A check in the amount of \$770.00 is enclosed.
7. ☐ Cancel claims _____.
8. ☒ Amend the specification by inserting before the first line the following sentence: --This is a continuation of application Serial No. 09/899,635 filed July 5, 2001, now allowed which claimed the benefit of U.S. Provisional Application No. 60/216,218, filed July 5, 2000.--
9. ☐ Sheet(s) of ☐ informal ☐ formal drawing(s) is/are enclosed.
10. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. ☐ Priority of application No. _____ filed on _____ in _____ is claimed under 37 U.S.C. §119.
(country)
- ☐ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.
12. ☒ The prior application is assigned of record to Synaptic Pharmaceutical Corporation.
13. ☒ A preliminary amendment is enclosed.
14. ☒ The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Philips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Roberto T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershih (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923); Alan J. Morrison (Reg. No. 37,399); Alan D. Miller (Reg. No. 42,889); Christopher M. Ries (Reg. No. 45,799) and Frank Bruno (Reg. No. 46,583)

- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:


John P. White
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel.: (212) 278-0400

15. X Also enclosed:
Express Mail Certificate of Mailing No. EV 325705772 US
16. X I hereby verify that the attached papers are a true copy of
prior application Serial No. 09/899,635 as originally filed on
July 5, 2001.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issuing thereon.

4/14/04
Date

Respectfully submitted,


John P. White
Registration No. 28,678
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mohammad R. Marzabadi, et al.
Serial No.: Not Yet Known
Filed : Herewith
For : SELECTIVE MELANIN CONCENTRATING HORMONE-1
(MCH1) RECEPTOR ANTAGONISTS AND USES THEREOF.

1185 Avenue of the Americas
New York, New York 10036
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Commissioner for Patents
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EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" mailing label number: EV 325705772 US
Date of Deposit: April 14, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Printed Name: Molly Wickham Molly Wickham

Respectfully submitted,

John P. White

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